

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schlun et al.

Examiner: Jocelin C. Tanner

Ser. No.: 10/535,081

Art Group: 3731

Title: BEARING STRUCTURE

Filed: 21 December 2005

Confirm. No.: 2013

Date: 21 January 2010

Interview Summary

A telephone interview was conducted on December 22, 2009 between the Examiner and the undersigned attorney. The undersigned wishes to thank the Examiner for the courtesies extended during that interview.

In the interview, the distinctions between the cited prior art and the current claims were discussed. Specifically, the discussion included reference to the simplified illustration of the invention provided in the previous office action response. During the interview, the transitional state of the present invention was discussed as one of the distinctions over the Ainsworth reference. Discussion included the fact that the claims call for the hinge strut to begin in a compressed state, where the axis of the hinge strut is transverse to the reference axis, and proceed to a transitional state, where the hinge strut axis is approximately parallel to the reference axis, by pivoting at the hinge axis. From there, the hinge strut continues to pivot at the hinge axis such that the hinge axis is no longer parallel to the reference axis, but is transverse to it in the expanded state. The discussion also included reference to the annotated Figure of Ainsworth provided in the previous Office Action. The undersigned attorney maintained that hinge axis and the reference axis provided in the annotated sheet can not display the behavior noted above. Namely, the angle formed by the central axis of the hinge

strut and the reference axis does not decrease to a parallel or nearly parallel state, but increases as the stent expands.

No agreement was reached on the allowability of the claims.

No fees are believed to be due with this interview summary. However, in the event that a fee is due and has been overlooked, the Commissioner is authorized to charge any fee or to credit any overpayment associated with the filing of this paper to Deposit Account 15-0450.

Respectfully submitted,

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